" I. The construction of the Railway.
" II. Investing the Special Magistrates with Civil powers.
"III. Strengthening the Police Force.
"IV. Sanitary Establishment for the conservancy of the field and adjoining villages,

" and in conclusion on behalf of the Kolar Gold Field Mining " Board, I beg to thank the Government of His Highness the " Maharaja for the courteous manner it has always received " our applications, and for the attention paid to the requests " contained therein."

Dewan's reply.—The Dewan quite agreed that the Darbar are prepared to adopt a Regulation within the limited scope described by Mr. Collins and within defined areas. The Darbar were prepared to take action and this action of special legislation in regard to throwing the onus of proof on suspected parties for satisfactory explanation of how they came to be in possession of quartz, &c., went up once before the Government of India. But the Darbar were advised to await the Legislation of that Government in this matter. The Darbar would try to re-open the question and send up a draft of a short enactment.

Subject No. 9.

Points connected with the Dasara Representative Assembly.

Various suggestions having a bearing on the constitution and working of the Dasara Representative Assembly were made in the course of a desultory talk which began on a proposal that the Assembly should be allowed to elect two or more members to His Highness the Maharaja's Council and that His Highness the Maharaja should preside at the meeting of this Council. These suggestions may be summarized as follows :—

(1) The present property qualification for membership is too high and should be reduced.

(2) Pleaders possessing lands and houses though below the prescribed property qualification, should be declared eligible for membership.

(3) The different interests such as commercial, manufacturing, &c., should be adequately represented in the Dasara Representative Assembly and with this view a proportion should be fixed between the numbers of professional and educated men in the Assembly.

(4) People who have no knowledge of Laws and Regulations, and Government servants should be considered ineligible for membership.

(5) Members should be elected six months before Dasara, *i. e.*, before the meeting of the Assembly.

(6) Government servants should be allowed to vote in the election of members for the Assembly.

(7) Persons qualified to be members should be required to apply to have their names registered. The present method of finding them out by Khate accounts leads to mistakes.

(8) The Assembly should be consulted in all cases be fore Laws and Regulations are passed.

(9) Members should be paid a fee so as to cover actual expenses. This may be at least Rs. 50.

(10) More time should be allowed for discussions at the Assembly. One day should be allowed to each District.

(11) A statement of Receipts and Expenditure of the previous year should be supplied to each member as soon as he is elected.

(12) Lists of subjects of general interest should be circulated previous to discussion and rules of debate should be prescribed.

(13) The Assembly should vote on the subjects discussed. The sense of the Assembly should thus be taken on subjects of general interest at least.

(14) The Proceedings book of the Dasara Representative Assembly should be supplied to all persons qualified to be members. At present they are supplied to members only.

(15) The Proceedings of the Dasara Representative Assembly should be published in the Gazette.

(16) The Standing Committee proposed by some members last year should not be sanctioned.

(17) Government should construct quarters and meeting hall at Mysore for the use of members of the Dasara Representative Assembly.

The following is an abstract of the remarks that were made with reference to the foregoing propositions:—

(1) In introducing the subject Mr. M. Venkatakrishnaiya (School master and R. M. from the Mysore Municipality) explained that the proposal was to enlarge the Maharaja's Council, so that it might contain as many non-official as there are official members and that the Dasara Representative Assembly might be allowed to elect the former. In his opinion the Council, as at present constituted and worked, was almost executive and it would be better if it were "administrative." The distinction between "Executive" and "Administrative," he explained by quoting the following extract from the late Dewan Mr. Rangacharlu's Address to the Dasara Representative Assembly in 1882.

"I have only to observe that administrative functions "comprise by far the most important part of their "duties, and can be enlarged to any extent, ac- "cording to requirements. They will comprise the "determination of the taxes to be raised, their "rates, the mode of collection, the remissions to "be granted, and the hearing of any appeals in "regard to these matters, the framing of the "Budget of Receipts and Expenditure, the sanc- "tion of estimates for individual works, and "even the manner of carrying out the works, "inclusive of the disposal of contracts for them on "competition, and generally the initiation and "direction of all measures connected with the "Department."

[NOTE by the Dewan.—The speaker misunderstands Mr. Rangacharlu's meaning and quotes his words omitting the context. Mr. Rangacharlu was speaking of a distinction between the administrative and executive functions of Municipalities and other local bodies, and not of the State and its functions, or of the share of any representative body in the administration of the State.]

The speaker concluded by adding that if His Highness the Maharaja would preside at meetings of such Council just as Governors and Governors-General presided at the meetings of their respective Councils, public interests would be promoted and the importance of the Council enhanced. His Highness need not vote but may reserve to himself full liberty of judgment and action as at present is the case here and elsewhere. As to the number of Members to be added to the Council, one gentleman suggested eight, (one for each District) and another suggested three so as to equal the present number of official members. With regard to His Highness the Maharaja's position with reference to this Council, the general sense of the meeting clearly was that it was beyond the province of the Assembly to discuss. Mr. H. Nanjunda Rao (Land-holder from Davangere) suggested that the additional members to be elected by the Dasara Representative Assembly might be for Legislative work only, and on the Dewan remarking that there was very little of legislative work, and for that little, the Government generally adopted the Legislation of British India, so that better than consulting only one or two members elected by the Dasara Representative Assembly, would be

to consult the entire Assembly in important matters as is now being done. Mr. Nadig Sivappa (Land-holder from Sorab Taluk) suggested that in that case it would be sufficient if the Assembly were consulted in respect of all Rules and Regulations and that no separate Legislative body would be necessary.

[The Dewan reserved his reply to this question till he had heard all that might be said regarding other general subjects].

(2) In making the proposals numbered above from 1 to 5 relating to the constitution of the Dasara Representative Assembly Mr. Venkatakrishnaiya stated that the suggestion was as made on a previous occasion to reduce only the Mohatarfa and not the Land Revenue qualification. By reducing the qualification in this way, a larger number of persons taking an interest in public affairs would attend meetings for the election of Representatives. If also a proportion were fixed in which professional and educated classes should be elected for the Assembly, all interests would be fairly represented. An early election of members, say six months before the meeting, would enable them to ascertain the wants and wishes of their constituents and otherwise to prepare themselves for the Assembly.

(3) The present rule prohibiting Government servants from voting for or being elected as members of the Dasara Representative Assembly besides inflicting a disability on an important section of the community had the effect of considerably reducing the number of competent voters in some local associations, though, including public servants, the associations may consist of one hundred members and more. If public servants may not be elected, they should at least be allowed to vote in the election of members. [The Dewan observed that this would still affect the independent character of the Assembly and may lead to the complaint that in some cases undue influence was being exerted.

(4) Under the present system of preparing registers of eligible persons from Khates (Ledgers in Village Accounts) persons who paid Land Revenue or assessed taxes in one village or group of villages forming a Shanbhog's charge alone came to notice; so that names of persons who were quali-

fied by virtue of the aggregate amount of Land Revenue or assessed taxes they paid to Government in more than one village or taluk sometimes happened to be lost sight of.

(5) At present only some important Laws and Regulations were referred to the Dasara Representative Assembly for discussion. In the absence of a Legislative Council in the State, similar to those which exist in British India, it would be well if all Rules and Regulations were referred for discussion. One member suggested that they should be so referred fully a year before they were adopted, and another member suggested that a few months time for consideration would be ample.

(6) Some members suggested that on every matter of general interest being discussed at the Assembly, votes should be taken and recorded so as to ascertain the relative strength of opinion in the Assembly. The Government need not necessarily follow the opinion of the majority, but the information would be useful. At present the opinions were known only of those who spoke and it would be a mistake to suppose that those who were silent had no opinions of their own or agreed with those who had spoken and that what was spoken was the general opinion. Some members indicating erroneous ideas of the position and functions of the Assembly and one member wishing to be furnished with some clear definition of the same, Mr. Garudachar, B. A., B. L., (Advocate from Shimoga Taluk) pointed out that this had been clearly explained in the Dewan's reply in Subject No. 8 of the Proceedings of the Assembly for 1891 where in reply to Mr. Elliot the Dewan had observed "It must however be "remembered that the main object of the Repre- "sentative Assembly is to afford the people of the "State opportunity to represent their wants and "grievances and not to give them a control over "the Administration."

The Revd. Mr. Gulliford (Missionary from the Bangalore City) pointed out that it would be useless to ask members to vote unless lists of subjects to be voted upon were issued to all members in sufficient time before discussion and some rules of debate were prescribed and followed. These rules might be drawn up by a committee and submitted to Government in the course of the year for consideration. The committee may consist of some members of the Assembly and some Gov-

ernment Officers. These rules among other things, would confine the speeches of members to one subject at a time. Another gentleman suggested that with these lists of subjects of general interest there may be issued statements of the Receipts and Expenditure of the State.

(7) One gentleman suggested that to prevent inconvenience in attendance and disappointment, a programme of the Proceedings of the Assembly should be drawn up and one day allotted to each District for the local subjects belonging to that District.

(8) Mr. Garudachar, B. A., B. L., in urging the necessity for Government quarters for the use of Representatives, explained the inconvenience to which members were now put in finding accommodation on arrival, and by their being scattered in various parts of the town often in unhealthy parts and the difficulty they thereby experienced in holding preliminary meetings and conferences. For such preliminary meetings and conferences, a more suitable place than Rangacharlu Memorial Hall was desired.

(9) Mr. Venkatakrishnaiya dwelt upon the expense to which members were put in coming to Mysore from various and often distant parts of the country and stated that there was a large number of them who suggested that Government should be asked to order a fee to be paid to members for such attendance. No definite amount had been mentioned but Rs. 50 was considered as a fair minimum. Mr. Rangaiengar (Land-holder from Krishnarajpete Taluk) represented that such payments would be derogatory to members and that there was a strong opinion against it. Mr. Nadig Sivappa (Land-holder from Sorab Taluk) remarked to the same effect and added that some provisions were being sent as a compliment or courtesy and that that was sufficient.

(10) Other suggestions already summarised were briefly made without explanatory remarks

Dewan's reply.—I. (Proposals above summarised as 1 to 5). The proposals which relate to the details of election of members to this Assembly will be duly considered and advantage will be taken of the formation of the next Assembly with membership for three years to carry out any changes considered desirable.

II. (Proposal No. 6). The privilege of voting cannot be extended to Government servants.

III. (Proposal No. 7). The present method of preparing lists of qualified members possesses the advantage of being ready to hand and gives accurate results. Omissions, if any, can be brought to notice.

IV. (Proposal No. 8). As to consulting the Dasara Representative Assembly regarding all Rules and Regulations, I have been and shall continue to do this in all important matters, but cannot promise to do it in all.

V. (Proposal No. 9). The proposal for the payment of members does not seem to be in accordance with the prevailing sentiment on the subject and is otherwise undesirable.

VI. (Proposal No. 10). With regard to more time being allotted for discussions, as much time as each District can usefully occupy, is being invariably given to it. At this meeting, more time could have been given to the special subjects brought forward for each District, if the speakers on the general subjects had not taken up as much time as they did.

VII. (Proposal No. 11). It is not convenient to furnish members with statements of Receipts and Expenditure in advance. Such is also unnecessary as the Budgets are published with the address.

VIII. (Proposal No. 12). Lists of subjects of general interest are being issued previous to the discussions as suggested. Rules for debate will be considered in due time to prevent waste of time.

IX. (Proposal No. 13). With regard to taking the sense of the Assembly by taking votes, this is unnecessary, as the Assembly has no voice in the disposal of the questions which may be represented by it.

X. (Proposal No. 14). The volume of the Proceedings of the Assembly is being supplied gratis to members and this is considered sufficient. Others can buy it at the Government Press.

XI. (Proposal No. 15). It is too voluminous for publication in the Gazette.

XII. (Proposal No. 16). The objection made to a Standing Commitee is noted.

XIII. (Proposal No. 17). As to the Government constructing the buildings asked for, this is considered undesirable. The application is very different from the previous offer that the buildings would be forthcoming from private sources, in compliance with which, building sites have been

reserved for the purpose at Chamarajapur (the new extension of the Mysore City).

XIV. It now only remains for me to refer to the proposal relating to the Maharaja's Council and to say that matters relating to the constitution for the Government of the State are outside the province of this Assembly which is welcome to place before Government any matter relating to the details of the Administration.

Subject No. 10. Proposed Regulation for the prevention of Infant Marriages.

On this subject petitions were presented signed both by members who were in favor of the measure and by members who were against it, and they have been printed in the book as Appendix B.

The following is a summary of discussions embodying reasons in support of the proposed Regulation and the amendments proposed, together with objections if any to such reasons and amendments:—

Mr. M. Venkatakrishnaiya.—It is shown in the objects and reasons appended to the draft Regulation that the proposed law is in entire accordance with the Shastras, and that the limits of age proposed are even below the limits mentioned in the Shastras. There are texts permitting marriages of girls in ages up to puberty and even two or three years after puberty under specified circumstances. If at all, the proposed Regulation errs on the side of moderation as regards limits of age.

The evil results of Infant marriages exist chiefly among Brahmans and Vaisyas as they can marry their young girls only once, whereas among other classes including Muhammadans, girls are married later in life and the miseries of early widowhood are obviated by liberty to marry more than once. Early marriage in certain cases leads to enforced widowhood which again leads to immorality and crime. The best course will be to prohibit all marriage and all consummation of marriage before the girl is 18 years of age.

The evils of Infant marriages being admitted, the justification for preventing them lies in the duty of the State as Guardian of the Public Interests to protect those interests, especially of minors. Government action is as just and necessary for prohibiting early marriages as it was just and necessary for the abolition of sattee, the suppression of Thuggi and human sacrifices to Kali, Durgi, &c. But due regard should be had to the feelings of the people and unnecessary pain should be avoided. The punishment proposed may be reduced to some extent. With this view imprisonment may be dispensed with and only fine retained, as conviction may possibly ensue in cases in which the ages are not within the prohibited degrees and yet the parties are not able to prove